

1999 DRAFTING REQUEST

Bill

Received: 09/30/98

Received By: kuesejt

Wanted: As time permits

Identical to LRB:

For: Tony Staskunas (608) 266-0620

By/Representing: Miike Te Rhonde

This file may be shown to any legislator: NO

Drafter: kuesejt

May Contact:

Alt. Drafters:

Subject: Elections - miscellaneous

Extra Copies:

Topic:

Independent candidates for governor and lieutenant governor

Instructions:

Permit independent candidates for governor and lieutenant governor to run for office separately.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kuesejt 11/25/98	wjackson 11/25/98		_____			
/1			ismith 11/25/98	_____	lrb_docadmin 11/25/98		
/2	kuesejt 11/28/98	wjackson 11/30/98	hhagen 11/30/98	_____	lrb_docadmin 11/30/98	lrb_docadmin 01/20/99	

FE Sent For:

<END>

→ Not Needed

11/30/98 11:56:37 AM

Page 1

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11/25/98 4:24:47 PM

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				11/30			

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12/1	kuesejt 11/19		IS 11/25	ES/LP 11/25			

FE Sent For:

<END>

10/1/98 10:21:29 AM
Page 1

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By/Representing: **Mike Te Rhonde**

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7/1	kuesejt 11/19	1-11-24-98 JLG					

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<END>

1999

Date (time)
needed

1042/1
LRB 0415/1
JRK: WLj
+
Jlg

BILL

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *candidacy of independent candidates for the offices of governor and lieutenant governor*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: create → anal: → title: → head

For the subheading [old =S], execute: create → anal: → title: → sub

For the sub-subheading [old =P], execute: create → anal: → title: → sub-sub

(See next page)

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.



1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0415/1
JTK.....

Currently, under the Wisconsin constitution, an elector has one vote to cast jointly for the offices of governor and lieutenant governor. Under current law, an independent candidate for the office of governor or lieutenant governor may only have his or her name appear on the ballot if he or she files nomination papers which indicate the name of a running mate whose name is to appear on the ballot with that candidate's name. The failure of an elector who casts a write-in vote for the office of governor or lieutenant governor to cast a write-in vote for a candidate for lieutenant governor or governor invalidates the elector's vote cast for the office of governor or lieutenant governor alone. *that*

This bill permits an independent candidate for the office of governor or lieutenant governor to file nomination papers without a running mate, and permits an elector to cast a vote for that candidate or to write in the name of a candidate for the office of governor or lieutenant governor without voting for any candidate as the running mate of that candidate. Under the bill, any vote cast singly for a candidate for the office of governor or lieutenant governor is not cumulated with any other vote cast by another elector for the same candidate for the same office if that other elector indicates a different choice for the running mate of that candidate.

Section #. 7.50 (2) (i) of the statutes is amended to read:

7.50 (2) (i) The failure by an elector to write in the name of a candidate for the office of vice president of the United States on the general election ballot does not invalidate the elector's vote for any candidate whose name is written in for the office of president of the United States. The failure of an elector to write in the name of a candidate for the office of president of the United States on the general election ballot invalidates the elector's vote for any candidate whose name is written in for the office of vice president of the United States. The failure of an elector to write in the ^{name} names of ^{a candidate} candidates ^{for} for the ^{office} offices of governor and lieutenant governor on the general election ballot ~~invalidates~~ the elector's vote for any candidate whose name is written in for the office of governor or lieutenant governor alone.

History: 1977 c. 107, 272, 427; 1979 c. 89, 311, 328; 1981 c. 377 ss. 20, 22; 1981 c. 391; 1983 a. 183; 1983 a. 484 ss. 75, 172 (3); 1985 a. 304; 1987 a. 391; 1989 a. 192, 359; 1991 a. 316.

does not invalidate ✓

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0415/1
JTK.....

SECTION ^X1. 7.50 (2) ^X(im) of the statutes is created to read:

7.50 (2) ^B(im) If an elector votes for an independent candidate for the office of governor or lieutenant governor ^Δ but does not vote for any candidate as a running mate of that candidate for the office of lieutenant governor or governor, the vote cast by the elector shall be recorded as a vote cast for both offices and shall not be cumulated with any other votes cast by other electors for the same candidate ^{for the same office} jointly with any other choice for the running mate of that candidate.

Section #. 8.20 (2) (c) of the statutes is amended to read:

8.20 (2) (c) In the case of candidates for the offices of president and vice president, the nomination papers shall contain both candidates' names; the office for which each is nominated; the residence and post-office address of each; and the party or principles they represent, if any, in 5 words ^{or} less.

In the case of candidates for the offices of governor and lieutenant governor, the nomination papers shall contain both candidates' names; ^{or the name of a candidate for either office} the office for which each ^{candidate} is nominated; the residence and post-office address of each; and the party or principles ^{candidate} they represent, if any, in 5 words or less.

History: 1971 c. 242, 304; 1973 c. 334 s. 57; 1975 c. 369; 1977 c. 107, 287, 427; 1979 c. 249, 260; 1981 c. 377; 1983 a. 29, 484; 1985 a. 304; 1987 a. 391; 1993 a. 140, 266.

each candidate represents

(End) ✓



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1042/3

JTK/wlj&jlg:ijs

↓ ↓
stays

wanted mon 11/30 - Am

1999 BILL

REGEN

- 1 AN ACT *to amend* 7.50 (2) (i) and 8.20 (2) (c); and *to create* 7.50 (2) (im) of the
2 statutes; **relating to:** candidacy of independent candidates for the offices of
3 governor and lieutenant governor.

Analysis by the Legislative Reference Bureau

Currently, under the Wisconsin Constitution, an elector has one vote to cast jointly for the offices of governor and lieutenant governor. Under current law, an independent candidate for the office of governor or lieutenant governor may only have his or her name appear on the ballot if he or she files nomination papers that indicate the name of a running mate whose name is to appear on the ballot with that candidate's name. The failure of an elector who casts a write-in vote for the office of governor or lieutenant governor to cast a write-in vote for a candidate for lieutenant governor or governor invalidates the elector's vote cast for the office of governor or lieutenant governor alone.

This bill permits an independent candidate for the office of governor or lieutenant governor to file nomination papers without a running mate, and permits an elector to cast a vote for that candidate or to write in the name of a candidate for the office of governor or lieutenant governor without voting for any candidate as the running mate of that candidate. Under the bill, any vote cast singly for a candidate for the office of governor or lieutenant governor is not cumulated with any other vote

for the failure of an elector who casts a write-in vote for lieutenant governor to cast a write-in vote for governor

BILL

cast by another elector for the same candidate for the same office if that other elector indicates a ~~different~~ choice for the running mate of that candidate, *and any vote cast for a candidate for governor or lieutenant governor is not cumulated with any other vote cast by another elector for the same candidate for the same office if that other elector does not indicate the same choice*

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

for a running mate of that candidate

SECTION 1. 7.50 (2) (i) of the statutes is amended to read:

7.50 (2) (i) The failure by an elector to write in the name of a candidate for the office of vice president of the United States on the general election ballot does not invalidate the elector's vote for any candidate whose name is written in for the office of president of the United States. The failure of an elector to write in the name of a candidate for the office of president of the United States on the general election ballot invalidates the elector's vote for any candidate whose name is written in for the office of vice president of the United States. The failure of an elector to write in the ~~names~~ name of candidates a candidate for the ~~offices~~ office of governor ~~and or~~ lieutenant governor on the general election ballot ~~invalidates~~ does not invalidate the elector's vote for any candidate whose name is written in for the office of governor or lieutenant governor alone.

SECTION 2. 7.50 (2) (im) of the statutes is created to read:

7.50 (2) (im) If an elector votes for an independent candidate for the office of governor or lieutenant governor but does not vote for any candidate as a running mate of that candidate for the office of lieutenant governor or governor, the vote cast by the elector shall be recorded as a vote cast for both offices and shall not be cumulated with ~~any other votes~~ *a vote* cast by ~~other electors~~ *any* for the same candidate for the same office jointly with any ~~other choice~~ *vote cast* for the running mate of that candidate. *If an elector votes for an independent candidate for the offices of governor and lieutenant governor, the vote cast by the elector shall not be cumulated with a vote cast by any other elector for one but not both of the candidates for whom the elector casts his or her vote.*

SECTION 3. 8.20 (2) (c) of the statutes is amended to read:

If an elector votes for an independent candidate for the offices of governor and lieutenant governor, the vote cast by the elector shall not be cumulated with a vote cast by any other elector for one but not both of the candidates for whom the elector casts his or her vote.

BILL

8.20 (2) (c) In the case of candidates for the offices of president and vice president, the nomination papers shall contain both candidates' names; the office for which each is nominated; the residence and post-office address of each; and the party or principles they represent, if any, in 5 words ~~of~~ or less. In the case of candidates for the offices of governor and lieutenant governor, the nomination papers shall contain both candidates' names or the name of a candidate for either office; the office for which each candidate is nominated; the residence and post-office address of each candidate; and the party or principles ~~they represent~~ each candidate represents, if any, in 5 words or less.

(END)✓

10

SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 11/30/98

To: Representative Staskunas

Relating to LRB drafting number: LRB-1042

Topic

Independent candidates for governor and lieutenant governor

Subject(s)

Elections - miscellaneous

1. **JACKET** the draft for introduction

in the **Senate** ____ or the **Assembly** ☒ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Jeffery T. Kuesel, Assistant Chief Counsel
Telephone: (608) 266-6778